

Notice of Allowability

Application No.

10/046,895

Examiner

Patricia L. Hailey

Applicant(s)

HESSE ET AL.

Art Unit

1755

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed on March 29, 2004.
2. ☒ The allowed claim(s) is/are 1-4,6,7 and 10-19.
3. ☒ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date May 4, 2004
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Mark L. Bell
Supervisory Patent Examiner
Technology Center 1700

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Applicants' remarks and amendments, filed on March 29, 2004, have been carefully considered. In this amendment, claim 5 has been canceled, and new claims 11-19 have been added.

Claims 1-4, 6, 7, and 10-19 are now pending in this application. Support from new claims 11-19 can be found in claims 1-4, 6, and 7.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Herbert Keil on May 4, 2004.

The application has been amended as follows:

- a. In line 1 of claim 1, after the word "catalyst", please insert the word – molding--.*
- b. In line 19 of claim 1, please delete "30%" and insert therefor –50%--.*
- c. In claim 10, after the phrase "support material,", please insert the following:*
 - then drying the coextrudate, and*
 - then calcining the dried coextrudate.--*

d. In claim 14, please delete the last two lines, i.e., “• then drying the coextrudate, and...dried coextrudate.”.

e. In line 1 of claim 15, after the word “catalyst”, please insert the word – molding--.

f. In claim 19, please delete the last two lines, i.e., “• then drying the coextrudate, and...dried coextrudate.”.

Claim 1 has been amended to recite the percentage range present in the claim 5 (which has been incorporated into claim 1) as claim 5 was originally filed. In an amendment filed by Applicants on October 29, 2003, claim 5 recited the percentage range of “25-30%”, but the claim had never been amended to recite said range (see Applicants’ claims originally filed on January 17, 2002, as well as Applicants’ Specification at page 3, line 37). The Examiner apologizes for the oversight.

Also, the addition of the word “molding” to line 1 of claim 1 is being made to present the claim as it appeared in Applicants’ amendment filed on October 29, 2003.

Claim 10 has been amended to insert the remaining steps inadvertently omitted in Applicants’ Appendix. See Applicants’ amendment filed on October 29, 2003, in which claim 10 was added.

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Claims 14 and 19 have been amended to remove inadvertently added phrases. While both claims 14 and 19 are directed to catalyst moldings, the inadvertently added phrases recite method steps present in claim 10.

Claim 15 has been amended to ensure proper antecedent basis for the phrase "catalyst molding".

Allowable Subject Matter

2. Claims 1-4, 6, 7, and 10-19 are allowed.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance:

The prior art of record does not teach or suggest the claimed core/jacket catalyst molding with a core made from an inorganic support material and with a jacket made from a catalytically active material, wherein the core/jacket catalyst molding is produced by a process comprising a) co-extruding an aqueous molding composition comprising the support material (or a precursor thereof) with an aqueous molding composition comprising the catalytically active material (or a precursor thereof), wherein an arrangement of two extruders is selected so that during the extrusion process a jacketing phase made from the catalytically active material concentrically surrounds a compact core made from the support material, b) drying the co-extrudate, and c) calcining the co-extrudate.

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The prior art also does not teach or suggest the compositions comprising (1) the support material (or a precursor thereof) and (2) the catalytically active material (or precursor thereof).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Priority

4. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Applicants' Priority Document was filed on March 26, 2002.

Conclusion

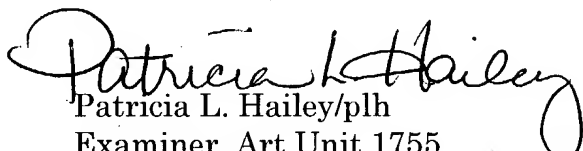
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia L. Hailey whose telephone number is (571) 272-1369. The examiner can normally be reached on Mondays-Thursdays.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark L. Bell can be reached on (571) 272-1362. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 1700 Receptionist, whose telephone number is (571) 272-1700.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Patricia L. Hailey/plh
Examiner, Art Unit 1755
April 30, 2004


Mark L. Bell
Supervisory Patent Examiner
Technology Center 1700